

[illegible]

and now full of them a new one in my Estate called a new plantation. I give
and give unto my son James Callaway his heirs and assigns forever my Tract of Land
in Chisnut Creek in the County of Franklin consisting of all the adjoining
Lands together with a small piece of Land called Rocky mount with the
Darns and all other improvements thereon except what he has used for
his family or sold to the South Sea Islands. I give I give and assign unto my
son Robert Callaway all my Lands on Black water in the said County of
Franklin called Enpro embracing several adjoining Tracts and also a
Tract of Lands of three hundred ^{ten} acres in the said County of Franklin
adjoining to the said Enpro. I give and assign unto my
son William Callaway to his heirs forever the upper end of my Tract of
Lands in the said County of Franklin on both sides of Black water called
Doggett. I give and assign to the said Robert the whole Tract of Land bounded by a line
commencing at the River in the Carolina road running thence with the
road to the old left wash corner of the river, & from the said wash
corner a straight line to the West end of the grassy hill until it shall
intersect the Deer line. On the North side of the River the dividing line
shall commence at the mouth of a small branch a few steps below the
ford running the course of the hill to the top leaving the rising ground
to the branch on the North until it strikes the said Deer line & then
from the top of the road. Also a small survey on the upper River branch
of about one equal half of the undisposed of Land in the said Tract called
Meads.

2/3

I give and devise unto my son John Callaway all the residue of my
 said lands on both sides of Black Water called Doggels and the order lands
 below the line dividing his brother Williams unto him a full maintenance
 and to his forever. Item I give and devise unto my son John Callaway
 his share and a fourth forever all my lands on Pig river and the land joining
 of Perchten contiguous & adjoining the land granted to the said Callaway
 and the land of Perchten & the land between the said Callaway & the land with
 the reservations after to be made. Item I give and devise unto my son George
 Callaway and his heirs forever all my Estate in the lands & Mills near Lynch-
 burg belonging Copartnership with James Stephens & mine with all my lots
 and other Estate in the Town of Richmond & Lynchburg. Item I give and
 devise unto my son Thomas Callaway and his heirs forever all my lands called
 my plantation and a parcel of land that has already been disposed of at all times
 after he give to his sister Anne. Item I give and devise unto my Executors
 hereinafter named and who are to be the Executors of my last will and
 Testament and to the survivors and last survivor of them my lands on Otter
 River and the new Mills thereunto attached with the appurtenances and
 as much of my other lands as it may be specially devised and
 be designated by them as well as the foregoing as an annuity with
 the appurtenances to be given and paid in their lifetime unto the said
 now devised to some one of them to be held by them in Trust and for the use
 and maintenance of my son William Callaway with the principle there-
 on the last survivor of them to be divided up in their lifetime the
 issue and profits shall be sufficient to pay of him or all or any part of the
 Estate as they may think proper for his maintenance or the payment
 of such of his debts as they shall deem proper to discharge in his my

of such of his debts as they shall deem proper to discharge during his my
some natural life and after his death the whole estate shall go and descend
unto his heirs. I give I give and devise unto my daughter Polly Brown -
two thousand Acres of my lands in areas which have for some time dis-
posed of her including her clearing land which to be laid off completely by my
brother Charles for her to live to her death forever. I give I give and devise unto
my daughter Lucy Callaway the same forever the tract of land called the
Glebe & some old plain & fields all adjoining unto the remainder of the
meadow on which and after the death of my wife I leave & a
negro girl named Lydia & her two children Peter and Matilda & the sum of
five hundred pounds to be paid to her by my Executors as at all times after
her death and until she is dead to be paid & the interest shall be
paid at any and every year until she is dead. I give I give & devise unto my daughter
Catharine Callaway the same forever a tract of land with the mill on which
and all the personal Estate except the slaves that I have given unto my
wife after the termination of her estate that to unto my said daughter the same
forever. I also also give her one negro girl named Peggy & the sum of one
thousand pounds to be paid to her by my Executors & her heirs to be paid
and until this is fully paid and completed & they are to pay her annually
the interest thereof. Whereas I became the purchaser of part of the Estate
in the County of Washington formerly the property of Joseph Callaway called
the Long Ordinary under a sale made by a decree of Chancery Court in favour
of David Ross and did know that the Title should be made to said Land
unto Mrs Elizabeth Loughborough and requested their name to be done accord-
ingly. Now I fulfil the promise and request above said I do give I give the
said Land to Mrs Elizabeth Loughborough & to her heirs & assigns forever that
the Title may be made to her accordingly. All the rest & devise in order of my

my daughter Lucy Hallaway. She has & over the tract of land called the
Hole & the old plain & the all adjoining, with the remainder of the
meadow on which runs after the termination of my wife's life Estate. & a
negro girl named Lydia & her two children Peter and Matilda & the sum of
five hundred pounds to be paid her by my Executors as at all times after
vested, and until this is fully done & completed the interest shall be
paid only and charged on my estate. I give & give to my daughter
Catherine Hallaway the tract of land with the mill on which
runs and all the personal Estate except the slaves that I have given into my
wife after the termination of her estate there is unto my said daughter & her heirs
forever. I also give over her one negro girl named Peggy & the sum of one
thousand pounds to be paid to her by my Executors & her heirs to be directed
and until this is fully done and completed they are to pay her annually
the interest thereon. Whereas I became the purchaser of part of the Estate
in the County of Cumberland formerly the property of Joseph Hall and called
the Long ordinary under a Calumet by a decree of Chancery Court in favour
of David Rose and did procure that the Title should be made to David
with Mrs Elizabeth Longhorn and requested that she be made according
to the said decree. Now to fulfil the promise and request aforesaid I do give & give the
said land to Mrs Elizabeth Longhorn & to her heirs & request her to have that
the Title may be made to her accordingly. All the rest & remainder of my
Estate both real and personal of every sort, kind, & description together with
all Mines, Minerals, & use to or the heirs of John Hallaway herein devised
I give and devise unto my Executors & their heirs & assigns for the
purpose of paying all my debts and legacies, that is to say, or pay & satisfy my
daughter Lucy to go on as in their opinion the circumstances of

216 The Estate will justify And the legacy to my daughter Catharine at her intermarriage or arrival at the age of twenty one years And to enable my Executors to do justice to the units and to my family they have full power and are hereby authorized the said Estate should so find it well dispose of rent lands out her fittings work and improvements manage & conduct in any manner whatsoever as to them shall seem meet and prudent and alterations in the same to make from time to time as to them shall seem proper And after all the Debts and legacies are fully paid and satisfied the residue of the money minerals & minerals in my son John Fallaway Sands shall cease & the same shall belong with the land to him & to his heirs and all the rest & residue of the Estate shall be divided as my said Executors shall approve either in share or by sale amongst my children James Fallaway Henry P. Fallaway William Fallaway John Fallaway George Fallaway Abner Fallaway Thomas Fallaway the Trustees of my sons James Fallaway for the purposes of the trusts heretofore prescribed my daughter Polly Brown Lucy Fallaway Catharine Fallaway and the children ^{the} ~~and~~ ^{children} of my deceased daughters Elizabeth Jones & Francis Stebbins so that the children of my two deceased daughters shall each have a share and as my object & intention is I do hereby declare ^{same} ~~to~~ ^{that} ~~it is my wish~~ ^{that} ~~all my~~ ^{that} ~~land~~ ^{shall} ~~be~~ ^{be} ~~equal~~ ^{be} ~~so far~~ ^{as} ~~as~~ ^{possible} ~~in the nature of the~~ ^{in the nature of the} Estate will permit of It is my wish however that in the distribution of this among my estate by my Executors shall be such that the estate be equal and no part of both heretofore used & was specifically given to my children or any of them shall be brought into estimate & be charged with what they may have received & it is my intention to be avoided so to make each equal to the other - I will Reserve that if any of my Lands which I may have sold shall remain not conveyed to the purchasers that my Executors do make the necessary conveyances I have named my Wife Mary Fallaway my son Henry P. Fallaway & James Stebbins Esqrs guardians to my daughter Catharine Fallaway until her full age I sell & assignate and thereby appoint my sons Henry P. Fallaway John

East. guardian to my daughter Catherine Callaway until her full age.
I do hereby appoint and thereby appoint my sons Henry P. Callaway, John
Callaway, George Callaway, my brother William Callaway & my friends
James H. Stearns & Christopher Clark attorneys at Law Executors to this my
last Will & Testament contained in two sheets of paper, reading all
wherein declare this to be my last. - Given under my hand and this 2nd day
May 1800.

Charles Callaway, Arthur Callaway
William Gibbs, Leonard ^{his son} Butts, Robert

James Callaway

Whereas I did on the 2nd day of this instant day make & publish
my last Will & Testament & in the distribution of my residuary estate I intended
to be so in regard that each of my children should receive an equal portion of my
property & for that purpose directed that each of my children should be charged
not only with what I had previously given them but also with the provision made
by the said Will. Now therefore to carry all uncertainty & to carry my intention
into effect I do make and declare this as a Codicil to my said last Will & Testament
I do add and addition to the said residuary clause as now declare for the direction
& government of my Executors that the following sums attached to the respective
names of each of my children shall stand for & be the estimate or true value
of all the estate they have received or may specifically receive under the will and
for which they are bound to account or to produce the equality con-
templated by the Will to wit: My son James Callaway get all the sum of
£4672 - Henry P. Callaway estate the sum of £4500 - John Callaway estate
the sum of £4500 - William Callaway estate the sum of £4554 - George
Callaway estate the sum of £4100 - George Callaway estate the sum of £3000
Thomas Callaway estate the sum of £4000 - The proportion for my son
James Callaway the sum of £2000 - My daughter Elizabeth Stearns the

James Fallaway (1844-1914)

Whereas I did on the 2nd day of this instant July make & publish
my last Will & Testament & in the distribution of my residuary estate I directed
to be observed that each of my children should receive an equal portion of my
property & for that purpose directed that each of my children should be charged
not only with what I had previously given them but also with the provision made
by the said Will. Now therefore to give effect to all uncertainty & to carry my intentions
into effect I make and declare this as a Codicil to my said last Will & Testament
I amend and addition to the said residuary clause do now declare for the direction
& government of my Executors that the following sums attached to the respective
names of each of my children shall stand for & be the estimate or true value
of all the estate they have received or may specifically receive under the will and
for which they are bound to account in order to produce the equality con-
templated by the will to wit, My son James Hallaway estate the sum of
£4672. - Henry J. Hallaway estate the sum of £4500. - John Hallaway estate
the sum of £5780. - William Hallaway estate the sum of £4654. - Abner
Hallaway estate the sum of £4100. - George Hallaway estate the sum of £3000.
Thomas Hallaway estate the sum of £4600. - The proportion for my son
Jeremiah Hallaway the sum of £2000. - My daughter Elizabeth Brown the
sum of £2400. - My daughter Frances Stephens the sum of £3700. - Lucy
Hallaway the sum of £2000 three thousand. - Polly Brown the sum of £2400.
Catharine Hallaway the sum of £2200 two thousand three hundred. - These sums
are to be considered by my Executors as the standard value of the respective estates
and no further estimate is to be made. Witness my hand & seal this 3rd day of July
1800. - Witness, Charles Hallaway
Abner Hallaway, John Hallaway
James Hallaway

